

Docket No. BOC9-2001-0012 (247)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Creamer, et al.

Serial No.: 10/086,391

Examiner: Elahee, M. S.

Confirmation No.: 1315

Date Filed: March 1, 2002

Group: 2697

For: METHOD AND SYSTEM FOR CALL NOTIFICATION

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DECLARATION UNDER 37 C.F.R. § 1.131

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Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

I, Glen R. Walters, a citizen of the United States of America, residing at 5320 Pierce Street, Hollywood, FL 33021, hereby declare and state as follows:

1. I was employed by International Business Machines Corporation (IBM) in Armonk, New York at the time the above-identified application was conceived. I make this declaration in support the above-identified application.

2. IBM had invested substantial time and effort into the research, development, and marketing of their products, and in an effort to protect its rights in all new inventions, IBM requests that all employees prepare and submit confidential Invention Disclosure Forms upon conception by the inventor(s).

3. As a named co-inventor for this invention, I submitted the attached Invention Disclosure No. BOC8-2001-0004 together with my co-inventors, Thomas E. Creamer and Victor S. Moore.

I make this Declaration to establish that the other co-inventors and I conceived of the present invention at least as early as February 9, 2001, and exercised due diligence from that date to March 1, 2002, the filing date for the above-identified patent application.

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Certificate Under 37 CFR 1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to 703-872-9314 to the U.S. Patent and Trademark Office on the date shown below.

Date

12/12/03

  
Kevin T. Cuenot, Esquire

Reg. No. 46,283

Declaration Under 37 C.F.R. §1.131  
U.S. Patent Appln. No. 10/086,391

Docket No. BOC9-2001-0012 (247)

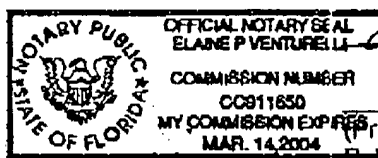
5. I further declare that all statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code, and that such willful, false statements may jeopardize the validity of the above-identified patent application or any patent issuing thereon.

Glen Walters  
Glen R. Walters

Date: August 28, 2003

STATE OF FLORIDA                    )  
  ) ss:  
COUNTY OF BROWARD                )

The foregoing instrument was sworn to and subscribed before me this 28 day of August, 2003, by GLEN R. WALTERS, who is personally known to me or who has produced \_\_\_\_\_ (type of identification) as identification.



Elaine P. Venturelli  
NOTARY PUBLIC, STATE OF FLORIDA  
ELAINE P. VENTURELLI  
(Print, Type or Stamp Commissioned Name of Notary Public)

**Disclosure BOC8-2001-0004**

Prepared for and/or by an IBM Attorney - IBM Confidential

Created By: Vic Moore Created On: 02/09/2001 01:34 55 PM

Last Modified By: Vic Moore Last Modified On: 02/12/2001 09:19:35 AM

Required fields are marked with the asterisk (\*) and must be filled in to complete the form

**\*Title of disclosure (in English)**

Fancy Caller ID tones

**Summary**

Status	Submitted
Processing Location	BOC
Functional Area	SWG Solutions and Integration (Tempelmeier) Div 7J
Attorney/Patent Professional	Richard Tomlin/Boca Raton/IBM
IDT Team	Scott Winters/Austin/IBM@IBMus
Submitted Date	02/09/2001 02:09 56 PM EST
Owning Division	SWSD
Incentive Program	
Lab	
Technology Code	
PVT Score	No PVT score has been calculated To calculate a PVT score, press the 'Calculate' button

**Inventors with Lotus Notes IDs**

Inventors: Vic Moore/Fort Lauderdale/IBM, Glen Waters/Boca Raton/IBM, Tom Creamer/Fort Lauderdale/IBM

Inventor Name	Inventor Serial	Div/Dept	Inventor Phone	Manager Name
> Moore, Victor S.	365784	7J/FEGA	443-6022	Winters, S.L. (Scott)
Waters, Glen R.	842789	7J/FEGA	443-6326	Winters, S.L. (Scott)
Creamer, Thomas E.	356849	7J/FEGA	443-6041	Winters, S.L. (Scott)

&gt; denotes primary contact

**Inventors without Lotus Notes IDs****IDT Selection**

Select Functional Area

IDT Team:  
Scott Winters/Austin/IBM@IBMusAttorney/Patent Professional:  
Richard Tomlin/Boca Raton/IBM**\*Main Idea**

1 Describe your invention, stating the problem solved (if appropriate), and indicating the advantages of

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using the invention

Caller IDs are in wide use today. When you receive a call while you are talking to someone else a click is heard in the telephone headset to notify you that another call is waiting for you. You can then choose to ignore the call or hit the flash button on your phone to put your current call on hold while you answer the other call. The problem with this arrangement is that there is no way to differentiate between important and unimportant calls. All calls create the same click in the headset.

A better idea would be to provision the call waiting service to give different signals for specified events. For example the signal would be unique for calls from specific telephone numbers, such as family members. There could also be special signals for long distance calls. The provisioning could also be dynamic. For example, when I am on a business trip and call home, I could cause the call waiting service to signal that the call is from me. This way my children will know that they better pick up the call when they are talking to their friends.

How?  
to do it

2. How does the invention solve the problem or achieve an advantage (a description of "the invention", including figures inline as appropriate)?

This invention is a service written on top of the TelcoSphere product. I would subscribe to the service and it would be provided to me via the local telephone network. Via the web I would be able to set the style of call waiting signal I desire for different events. Events would be, for example, an incoming call from a specified telephone number, an incoming call that is long distance, or a call that has instructed the TelcoSphere server via a special phone number and password, that for this call the signal is to be special.

3. If the same advantage or problem has been identified by others (inside/outside IBM), how have those others solved it and does your solution differ and why is it better?

This service does not exist today. This service would be of great interest to Telcos.

4. If the invention is implemented in a product or prototype, include technical details, purpose, disclosure details to others and the date of that implementation.

Yes, the TelcoSphere product.

\*Critical Questions (Questions 1-9 must be answered)

**\*Question 1**

On what date was the invention workable? 01/12/2001 Please format the date as MM/DD/YYYY (Workable means i.e. when you know that your design will solve the problem)

**\*Question 2**

Is there any planned or actual publication or disclosure of your invention to anyone outside IBM?

☐ Yes  
☒ No

If yes, Enter the name of each publication or patent and the date published below.

Publication/Patent:

Date Published or Issued:

Are you aware of any publications, products or patents that relate to this invention?

☐ Yes  
☒ No

If yes, Enter the name of each publication or patent and the date published below

Publication/Patent:

Date Published or Issued:

**\*Question 3**

Has the subject matter of the invention or a product incorporating the invention been sold, used internally in manufacturing, announced for sale, or included in a proposal?

☐ Yes  
☒ No

Is a sale, use in manufacturing, product announcement, or proposal planned?

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<input checked="" type="radio"/> Yes <input type="radio"/> No
If Yes, identify the product if known and indicate the date or planned date of sale, announcements, or proposal and to whom the sale, announcement or proposal has been or will be made.
Product TelcoSphere
Version/Release:
Code Name:
Date 06/01/2001
To Whom Telco Equipment Manufacturers and Telcos
If more than one, use cut and paste and append as necessary in the field provided.

<b>*Question 4</b>
Was the subject matter of your invention or a product incorporating your invention used in public, e.g., outside IBM or in the presence of non-IBMers?
If yes, give a date. Please format the date as MM/DD/YYYY
<input type="radio"/> Yes <input checked="" type="radio"/> No

<b>*Question 5</b>	<input type="radio"/> Yes <input checked="" type="radio"/> No
Have you ever discussed your invention with others not employed at IBM?	
If yes, identify individuals and date discussed. Fill in the text area with the following information, the names of the individuals, the employer, date discussed, under CDA, and CDA #.	

<b>*Question 6</b>	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> Not sure
Was the invention, in any way, started or developed under a government contract or project?	
If Yes, enter the contract number	

<b>*Question 7</b>	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> Not Sure
Was the invention made in the course of any alliance, joint development or other contract activities?	
If Yes, enter the following (in English):	
Name of Alliance, Contractor or Joint Developer	
Contract ID number	
Relationship contact name	
Relationship contact E-mail	
Relationship contact phone	

<b>*Question 8</b>	<input type="radio"/> Yes <input checked="" type="radio"/> No
Have you, or any of the other inventors, submitted this same invention disclosure or similar invention disclosure previously?	
If Yes, please provide disclosure number below:	

<b>*Question 9</b>	<input type="radio"/> Yes <input checked="" type="radio"/> No
Are you, or any of the other inventors, aware of any related inventions disclosures submitted by anyone in IBM previously?	
If Yes, please provide the docket or disclosure number or any other identifying information below:	

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**Question 10****What type of companies do you expect to compete with inventions of this type? Check all that apply.**

- ☐ Manufacturers of enterprise servers
- ☐ Manufacturers of entry servers
- ☐ Manufacturers of workstations
- ☐ Manufacturers of PC's
- ☐ Non-computer manufacturers
- ☐ Developers of operating systems
- ☐ Developers of networking software
- ☐ Developers of application software
- ☐ Integrated solution providers
- ☒ Service providers
- ☐ Other (Please specify below)

**Question 11****If the invention relates to a product or service that is outside the scope of your business unit, please recommend IBM business unit(s), IBM location(s) or individual(s) within IBM that you think would provide a good evaluation of your invention.****Patent Value Tool (Optional - this may be used by the inventor and attorney to assist with the evaluation of the invention)**  
**Post Disclosure Text & Drawings**

(Form Revised 12/17/97)